

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

Case No.: 1:23-cv-00423-WO-JLW

CHAPLIN, et al.

Plaintiffs,

v.

ROWE, et al.
Defendants.

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**JUDICIAL DEFENDANTS’
MOTION TO DISMISS THE
SECOND AMENDED
COMPLAINT**

NOW COME Defendants Ryan Boyce, in his official capacity as the Director of the North Carolina Administrative Office of the Courts, Brad Fowler, in his official capacity as the eCourts Executive Sponsor and Chief Business Officer of the North Carolina Administrative Office of the Courts, Blair Williams, individually and in his official capacity as the Wake County Clerk of Superior Court, Susie K. Thomas, individually and in her official capacity as the Lee County Clerk of Superior Court, and Elisa Chinn-Gary, individually and in her official capacity as the Mecklenburg County Clerk of Superior Court (collectively, “Judicial Defendants”), for the purpose of moving this Court to dismiss the claims against them pursuant to Rule 8, Rule 12(b)(1) and Rule 12(b)(6) of the Federal Rules of Civil Procedure, as more fully set forth in the memorandum of law filed herewith.

Respectfully submitted this the 9th day of April, 2024.

JOSHUA H. STEIN
Attorney General

/s/Elizabeth Curran O'Brien
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*Counsel for Defendants Boyce, Fowler,
Williams, Thomas and Chinn-Gary*

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day electronically filed the foregoing **JUDICIAL DEFENDANTS' MOTION TO DISMISS THE SECOND AMENDED COMPLAINT** using the CM/ECF system, which will send notification of such filing to all the counsel of record for the parties who participate in the CM/ECF system.

This the 9th day of April, 2024.

/s/ Elizabeth Curran O'Brien

Elizabeth Curran O'Brien
Special Deputy Attorney General
N.C. Department of Justice